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AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING THE STATEWIDE COLLEGE AND WORKPLACE READINESS ASSESSMENTS; ALLOWING THE ELEVENTH GRADE STANDARDS-BASED ASSESSMENTS TO SERVE AS THE ASSESSMENT REQUIRED FOR GRADUATION; CHANGING THE DATE BY WHICH ASSESSMENT RULES MUST BE PROMULGATED; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2C-4.1 NMSA 1978 (being Laws 2007, Chapter 307, Section 4 and Laws 2007, Chapter 308, Section 4) is amended to read:

"22-2C-4.1. STATEWIDE COLLEGE AND WORKPLACE READINESS ASSESSMENT SYSTEM.--

A. The department shall establish a readiness assessment system to measure the readiness of every New Mexico high school student for success in higher education or a career no later than the 2008-2009 school year. The department shall ensure that the readiness assessment system is aligned with state academic content and performance standards, college placement tests and entry-level career skill requirements. The readiness assessment system shall include the following components:

(1) in grade nine, a short-cycle diagnostic assessment in reading, language arts and mathematics to be

1 locally administered in the fall and at least two additional
2 times during the year;

3 (2) in grade ten, a short-cycle diagnostic
4 assessment in reading, language arts and mathematics that
5 also serves as an early indicator of college readiness, to be
6 locally administered at least three times during the year;
7 and

8 (3) in grade eleven, in the fall, one or
9 more of the following chosen by the student:

10 (a) a college placement assessment;

11 (b) a workforce readiness assessment;

12 or

13 (c) an alternative demonstration of
14 competency using standards-based indicators.

15 B. All students at the specified grade level shall
16 participate in the readiness assessment system at no cost to
17 the student.

18 C. The department shall ensure that results of
19 performance on readiness assessments administered in grades
20 nine and ten are reported to students, parents and public
21 schools no later than four weeks following the date on which
22 the assessments are administered, in a form that is easily
23 understandable and useful in the next-step planning process.
24 Reports of assessment results shall be provided to students
25 and parents in writing whenever possible, but, if necessary,

1 orally in the language best understood by each student and
2 parent.

3 D. The department shall adopt standards for
4 reasonable accommodations in the administration of readiness
5 assessments for students with disabilities and limited
6 English proficiency, including when and how accommodations
7 may be applied.

8 E. In developing, selecting or approving the high
9 school or college readiness assessments for school district
10 or charter school use, the department may adopt commercially
11 available standards-based assessments or approve a school
12 district's or charter school's short-cycle assessments that
13 meet the requirements of this section. The department shall
14 involve appropriate licensed school employees in the
15 development or selection of readiness assessments."

16 Section 2. Section 22-13-1.1 NMSA 1978 (being Laws
17 1986, Chapter 33, Section 5, as amended by Laws 2007, Chapter
18 305, Section 1 and by Laws 2007, Chapter 307, Section 8 and
19 also by Laws 2007, Chapter 308, Section 8) is amended to
20 read:

21 "22-13-1.1. GRADUATION REQUIREMENTS.--

22 A. At the end of grades eight through eleven, each
23 student shall prepare an interim next-step plan that sets
24 forth the coursework for the grades remaining until high
25 school graduation. Each year's plan shall explain any

1 differences from previous interim next-step plans, shall be
2 filed with the principal of the student's high school and
3 shall be signed by the student, the student's parent and the
4 student's guidance counselor or other school official charged
5 with coursework planning for the student.

6 B. Each student must complete a final next-step
7 plan during the senior year and prior to graduation. The
8 plan shall be filed with the principal of the student's high
9 school and shall be signed by the student, the student's
10 parent and the student's guidance counselor or other school
11 official charged with coursework planning for the student.

12 C. An individualized education program that meets
13 the requirements of Subsections A and B of this section and
14 that meets all applicable transition and procedural
15 requirements of the federal Individuals with Disabilities
16 Education Act for a student with a disability shall satisfy
17 the next-step plan requirements of this section for that
18 student.

19 D. A local school board shall ensure that each
20 high school student has the opportunity to develop a
21 next-step plan based on reports of college and workplace
22 readiness assessments, as available, and other factors and is
23 reasonably informed about:

24 (1) curricular and course options, including
25 honors or advanced placement courses, dual-credit courses,

1 distance learning courses, career clusters or remediation
2 programs that the college and workplace readiness assessments
3 indicate to be appropriate;

4 (2) opportunities available that lead to
5 different post-high-school options; and

6 (3) alternative opportunities available if
7 the student does not finish a planned curriculum.

8 E. The secretary shall:

9 (1) establish specific accountability
10 standards for administrators, counselors, teachers and school
11 district staff to ensure that every student has the
12 opportunity to develop a next-step plan;

13 (2) promulgate rules for accredited private
14 schools in order to ensure substantial compliance with the
15 provisions of this section;

16 (3) monitor compliance with the requirements
17 of this section; and

18 (4) compile such information as is necessary
19 to evaluate the success of next-step plans and report
20 annually, by December 15, to the legislative education study
21 committee and the governor.

22 F. Successful completion of a minimum of
23 twenty-three units aligned to the state academic content and
24 performance standards shall be required for graduation.

25 These units shall be as follows:

1 (1) four units in English, with major
2 emphasis on grammar and literature;

3 (2) three units in mathematics, at least one
4 of which is equivalent to the algebra 1 level or higher;

5 (3) two units in science, one of which shall
6 have a laboratory component; provided, however, that with
7 students entering the ninth grade beginning in the 2005-2006
8 school year, three units in science shall be required, one of
9 which shall have a laboratory component;

10 (4) three units in social science, which
11 shall include United States history and geography, world
12 history and geography and government and economics;

13 (5) one unit in physical education;

14 (6) one unit in communication skills or
15 business education, with a major emphasis on writing and
16 speaking and that may include a language other than English;

17 (7) one-half unit in New Mexico history for
18 students entering the ninth grade beginning in the 2005-2006
19 school year; and

20 (8) nine elective units and seven and
21 one-half elective units for students entering the ninth grade
22 in the 2005-2006 school year that meet department content and
23 performance standards. Student service learning shall be
24 offered as an elective. Financial literacy shall be offered
25 as an elective.

1 G. For students entering the ninth grade beginning
2 in the 2009-2010 school year, at least one of the units
3 required for graduation shall be earned as an advanced
4 placement or honors course, a dual-credit course offered in
5 cooperation with an institution of higher education or a
6 distance learning course.

7 H. The department shall establish a procedure for
8 students to be awarded credit through completion of specified
9 career technical education courses for certain graduation
10 requirements.

11 I. Successful completion of the requirements of
12 the New Mexico diploma of excellence shall be required for
13 graduation for students entering the ninth grade beginning in
14 the 2009-2010 school year. Successful completion of a
15 minimum of twenty-four units aligned to the state academic
16 content and performance standards shall be required to earn a
17 New Mexico diploma of excellence. These units shall be as
18 follows:

19 (1) four units in English, with major
20 emphasis on grammar, nonfiction writing and literature;

21 (2) four units in mathematics, of which one
22 shall be the equivalent to or higher than the level of
23 algebra 2, unless the parent submitted written, signed
24 permission for the student to complete a lesser mathematics
25 unit;

1 (3) three units in science, two of which
2 shall have a laboratory component;

3 (4) three and one-half units in social
4 science, which shall include United States history and
5 geography, world history and geography and government and
6 economics, and one-half unit of New Mexico history;

7 (5) one unit in physical education;

8 (6) one unit in one of the following:
9 a career cluster course, workplace readiness or a language
10 other than English; and

11 (7) seven and one-half elective units that
12 meet department content and performance standards. Student
13 service learning shall be offered as an elective. Financial
14 literacy shall be offered as an elective.

15 J. Final examinations shall be administered to all
16 students in all classes offered for credit.

17 K. Until July 1, 2010, a student who has not
18 passed a state graduation examination in the subject areas of
19 reading, English, mathematics, writing, science and social
20 science shall not receive a high school diploma. The state
21 graduation examination on social science shall include a
22 section on the constitution of the United States and the
23 constitution of New Mexico. If a student exits from the
24 school system at the end of grade twelve without having
25 passed a state graduation examination, the student shall

1 receive an appropriate state certificate indicating the
2 number of credits earned and the grade completed. If within
3 five years after a student exits from the school system the
4 student takes and passes the state graduation examination,
5 the student may receive a high school diploma.

6 L. Beginning with the 2010-2011 school year, a
7 student shall not receive a New Mexico diploma of excellence
8 if the student has not demonstrated competence in the subject
9 areas of mathematics, reading and language arts, writing,
10 social studies and science, including a section on the
11 constitution of the United States and the constitution of New
12 Mexico, based on a standards-based assessment or assessments
13 or a portfolio of standards-based indicators established by
14 the department by rule. The standards-based assessments
15 required in Section 22-2C-4 NMSA 1978 may also serve as the
16 assessment required for high school graduation. If a student
17 exits from the school system at the end of grade twelve
18 without having satisfied the requirements of this subsection,
19 the student shall receive an appropriate state certificate
20 indicating the number of credits earned and the grade
21 completed. If within five years after a student exits from
22 the school system the student satisfies the requirement of
23 this subsection, the student may receive a New Mexico diploma
24 of excellence.

25 M. As used in this section:

1 (1) "final next-step plan" means a next-step
2 plan that shows that the student has committed or intends to
3 commit in the near future to a four-year college or
4 university, a two-year college, a trade or vocational
5 program, an internship or apprenticeship, military service or
6 a job;

7 (2) "interim next-step plan" means an annual
8 next-step plan in which the student specifies
9 post-high-school goals and sets forth the coursework that
10 will allow the student to achieve those goals; and

11 (3) "next-step plan" means an annual
12 personal written plan of studies developed by a student in a
13 public school or other state-supported school or institution
14 in consultation with the student's parent and school
15 counselor or other school official charged with coursework
16 planning for the student that includes one or more of the
17 following:

18 (a) advanced placement or honors
19 courses;

20 (b) dual-credit courses offered in
21 cooperation with an institution of higher education; and

22 (c) distance learning courses.

23 N. The secretary may establish a policy to provide
24 for administrative interpretations to clarify curricular and
25 testing provisions of the Public School Code."